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E.O. 12958: N/A
TAGS: [ECON](#) [PREL](#) [TSPL](#) [ETTC](#) [KTIA](#) [KIPR](#) [KSTC](#) [UZ](#)
SUBJECT: UZBEKISTAN EXCITED ABOUT S&T AGREEMENT, PRESENTS A DRAFT

¶1. (SBU) SUMMARY. Dr. Shavkat Salikhov, Chairman of the Committee for Coordination of Science and Technology Development at the Cabinet of Ministers, told us in unequivocal terms on January 29 that Uzbekistan is very interested in negotiating a Science and Technology (S&T) cooperation agreement with the U.S. The Government of Uzbekistan's (GOU) interest received added emphasis the following day, when the MFA sent us a GOU-approved draft of the agreement. It is Post's view that if the Department chooses to proceed, an S&T agreement could be a nice deliverable item for a high level visitor as part of our effort to broaden the bilateral relationship.
END SUMMARY

¶2. (SBU) On January 29 we met with Dr. Shavkat Salikhov, Chairman of the Committee for Coordination of Science and Technology Development at the Cabinet of Ministers who is concurrently also the President of Uzbekistan's Academy of Sciences. Welcoming and thanking the Embassy for its willingness to discuss a possible US-Uzbek bilateral framework agreement on S&T cooperation, Dr. Salikhov said the GOU is deeply interested in negotiating and signing an agreement of this type. Dr. Salikhov continued that Uzbekistan would benefit from expanded cooperation with U.S. technical agencies that the proposed S&T agreement could facilitate.

¶3. (SBU) Dr. Salikhov added that Uzbekistan possesses the most advanced science and technology in Central Asia. Historically, he said, there were two reasons for this. First, Uzbeks were a predominantly settled people in contrast to their nomadic neighbors. Second, many top scientists and engineers were evacuated to Uzbekistan from Russia and other European parts of the USSR during World War II, thereby laying the groundwork to educate a new generation of scientists in Uzbekistan.

¶4. (SBU) Dr. Salikhov said that since the collapse of the Soviet Union, Uzbekistan has actively and fruitfully cooperated with the U.S. Department of Agriculture and with the Department of Energy on a number of mutually beneficial projects in agriculture, genetics, and non-proliferation. Speaking on behalf of the GOU, Dr. Salikhov said that Uzbekistan is deeply interested in continuing these joint projects and programs and in expanding cooperation with the U.S. to nanotechnology, biotechnology, veterinary sciences, energy efficiency, renewable energy, and environmental protection.

¶5. (SBU) MFA representative Shokhrukh Yadgarov reminded us that the U.S. side had suggested an S&T agreement at the American-Uzbek Chamber of Commerce meeting in Washington, DC, on May 21, 2008. Since then, he continued, the Uzbek MFA has coordinated preparation and approval of draft text. He said the MFA would send the draft S&T agreement to the Embassy, where indeed we received it the next day.

COMMENT

¶6. (SBU) It came as no surprise to us that the GOU is interested in negotiating an S&T agreement with the U.S. (We most likely would not have been granted a meeting with Dr. Salikhov if the GOU was not interested.) We were much taken by surprise, however, to find that that the GOU is so interested in this agreement that the MFA, the Committee for Coordination of Science and Technology Development,

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and the Academy of Sciences had already prepared a draft agreement. From this it is clear that on the Uzbek side the green light to pursue an S&T agreement has been given at the very top.

¶7. (SBU) We told Dr. Salikhov that an S&T agreement is under discussion in Washington but that no official position has been taken. It is Post's view, however, that if the Department chooses to proceed, an S&T agreement could be a nice deliverable item for a high level visitor as part of our effort to broaden the bilateral relationship.

18. (SBU) The following is an unofficial translation of the GOU's proposed text for an S&T cooperation agreement.

START UNOFFICIAL TRANSLATION OF GOU PROPOSED TEXT

AGREEMENT

Between the Government of the Republic of Uzbekistan and the Government of the United States of America on Science and Technology Cooperation

The Government of the Republic of Uzbekistan and the Government of the United States of America, hereinafter referred as the Parties,

-- Guided by a willingness to develop long-term cooperation in science and technology,

-- Convinced that cooperation in science and technology will serve to strengthen friendly relations between the two countries,

-- Acknowledging the need to strengthen and expand cooperation in science and technology under conditions of rapid advancement and dissemination of scientific information, as well as the results of scientific research and developments,

-- Having a view to create favorable conditions for scientific and technological cooperation and a legal basis for cooperation in this field,

Have agreed as follows:

Article 1

The Parties shall encourage development and expansion of cooperation in science and technology within the frameworks of national legislation of the Parties and international treaties based on principles of equity and mutual benefit, as well as create the necessary organizational, legal, and economic conditions for mutual cooperation.

Article 2

The directions in which bilateral cooperation will take place shall be identified by the Parties taking into account their national interests and with the purpose of effective development of science and technology in both countries.

This Agreement covers cooperation in fundamental and applied research and in innovation in the natural and technical sciences (including information and communication technologies, biotechnology, and nanotechnology), as well as in agriculture.

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Article 3

The cooperation envisioned in Article 2 of this Agreement shall be implemented by the ministries, agencies, and scientific organizations of the Parties to the extent of their mandates based on direct agreements and contracts, which should be in line with the national legislations of the Parties.

Direct agreements and contracts should identify the parameters of cooperation, its economic and organizational conditions, namely:

-- The direction, scope of work to be carried out in the context of cooperation on science and technology;

-- Sources of financing for the work carried out in each country in the context of cooperation and mutual financial responsibilities;

-- Procedures for joint use of scientific-technical facilities, as well as the use of results of joint research and regulation of issues related to the dissemination of rights for intellectual and industrial property acquired during joint scientific activities;

-- Mechanisms for dispute settlement and compensation for damages that could occur in the course of carrying out work in the context of cooperation;

-- Procedures by which individuals from third countries or international organizations can participate, including procedures for financial support of such participation and use of the results of mutual collaboration;

-- Responsibility for the credibility of information and the quality of materials and equipment to be transferred to each other in the course of collaboration

Article 4

Cooperation in the context of this Agreement is carried out in the following forms:

-- Implementation of joint scientific-research programs, projects to develop and master high technologies;

-- Exchanges of scientists and experts;

-- Joint scientific conferences, symposiums and seminars;

-- Joint scientific projects carried out in scientific-research organizations, universities,

technology parks, and research centers of the Parties, including joint field research and expeditions;

-- Joint exhibitions of advanced scientific technologies and scientific research results

Article 5

If necessary, the Parties may create a bilateral commission on cooperation in science and technology for implementation of this Agreement and for preparation of recommendations on further deepening cooperation of the Parties in this field.

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The Commission shall develop and approve Rules of procedure in order to organize its activities. Meetings of the Commission will be held on a regular basis -- either in Uzbekistan or in the United States -- in accordance with prior decisions.

Authorized agencies for coordinating cooperation in the context of this Agreement are:

-- For the Uzbek side -- Committee on Coordination of Science and Technology Development, Cabinet of Ministers of the Republic of Uzbekistan;

-- For the American side -- _____

Article 6

The Parties have agreed that scientific and scientific-technical information that is acquired in the course of collaboration, except information that relates to intellectual and industrial property or that is subject to nondisclosure for commercial or industrial reasons, will, at the mutual consent of the Parties, be available to the world scientific community through generally accepted means and in accordance with prevailing legislation of the Parties.

Article 7

In accordance with national legislation of the Parties and norms of international law, the Parties shall assist in the protection of rights to intellectual property that may be created as a result of collaboration in the context of this Agreement. Specific issues related to intellectual property rights shall be regulated in the agreements and contracts that will be signed in accordance with Article 3 of this Agreement.

Article 8

Terms and conditions for scientists and specialists of the Parties as well as financial issues related to the exchange of experts, scientists, and other specialists participating in collaborative projects shall be resolved based on mutual agreement of the Parties.

Article 9

Nothing in the present Agreement shall affect the rights or obligations of a Party arising from any agreement that is in force on the date on which this Agreement comes into force.

Article 10

By mutual consent of the Parties, changes and additions can be made to the present Agreement through separate Protocols that shall be integral parts of the present Agreement.

Article 11

In case of disputes and disagreements concerning interpretation or application of the provisions of the present Agreement, the Parties shall settle them through consultations and negotiations.

Article 12

The present Agreement shall enter into force from the date of receipt of final written notification

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that the Parties have completed the internal governmental procedures required for it to enter into force.

The present Agreement is concluded for a period of 5 (five) years and shall automatically be extended for 1 (one) year if neither side serves the other with written notification of cancellation at least six months prior to the end of this period.

Done at _____ 200__ in two authenticated copies, each in Uzbek and English languages, all texts having equal legal force.

For the Government
of the Republic of
Uzbekistan

For the Government
of the United States of
America

END UNOFFICIAL TRANSLATION OF GOU PROPOSED TEXT
NORLAND

To view the entire SMART message, go to URL http://repository.state.sgov.gov/_layouts/OSS/SearchResults.aspx?k=messageid:659862aa-2bd4-4ec4-b4